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NO. 967

P. 2/5

Attorney Docket No: 28480/93080
PATENT

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#9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey Bluestone et al.

Serial No.: 09/835,297

Art Unit: Office of Petitions

Filed: April 12, 2001

Examiner: Not yet assigned.

For: SURFACE-BOUND ANTIGEN BINDING PORTIONS OF ANTIBODIES THAT BIND
TO CTLA-4 AND CD28 AND USES THEREFOR

INVENTOR'S OPPOSITION TO THE PETITION UNDER 37 CFR 1.47

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

MAR 13 2002

OFFICE OF PETITIONS

Sir:

I, Jeffrey A. Bluestone hereby state that I am an inventor in the above-identified subject application and that I have not been afforded an opportunity to sign a proper inventor's declaration for the present application.

The document tendered to me for signature includes a power of attorney to persons at Lahive & Cockfield, LLP whom I do not want to represent my interests. I wish the application to proceed, however, to date all appropriate representations in the application have not been properly asserted. At this time it would not be appropriate for the Patent & Trademark Office to grant the PETITION PURSUANT TO 37 CFR § 1.47(a), at the very least, because the petition asserts that I have "refused to join in the above-referenced application for patent" (page 1, first full paragraph) and this is incorrect. A proper "declaration" has not been tendered to me for my consideration. Again, the document sent me was in error, at least to the extent that I wish attorneys at Lahive and Cockfield, LLP to represent my interests. My refusal to sign what is clearly an erroneous document should not be construed as my refusal to sign a proper declaration for this application.

If you wish further information, please feel free to contact me via my counsel Alice Martin at Barnes & Thornburg, 2600 Chase Plaza, 10 South LaSalle Street, Chicago, Illinois 60603, phone 312-214-8316.

3/11/02
Date



Jeffrey A. Bluestone